

Examiner-Initiated Interview Summary	Application No.	Applicant(s)	
	10/067,422	NI ET AL.	
	Examiner	Art Unit	
	Janet L. Andres	1646	

All Participants:

Status of Application: 071

(1) Janet L. Andres.

(3) _____.

(2) Mark Hyman.

(4) _____.

Date of Interview: 24 December 2003

Time: 2:00 pm

Type of Interview:

- ☒ Telephonic
☐ Video Conference
☐ Personal (Copy given to: ☐ Applicant ☐ Applicant's representative)

Exhibit Shown or Demonstrated: ☐ Yes ☒ No
 If Yes, provide a brief description:

Part I.

Rejection(s) discussed:
 112 first as lacking enablement.

Claims discussed:
 23-42

Prior art documents discussed:

Part II.

SUBSTANCE OF INTERVIEW DESCRIBING THE GENERAL NATURE OF WHAT WAS DISCUSSED:
 See Continuation Sheet

Part III.

- ☒ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview directly resulted in the allowance of the application. The examiner will provide a written summary of the substance of the interview in the Notice of Allowability.
☐ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview did not result in resolution of all issues. A brief summary by the examiner appears in Part II above.


 (Examiner/SPE Signature)

 (Applicant/Applicant's Representative Signature – if appropriate)

Continuation of Substance of Interview including description of the general nature of what was discussed: In response to the Examiner's statement that no assurance had been given that deposits would be replaced, Applicant's representative pointed to MPEP 2410.01 as indicating that the indication that a deposit was made under the Budapest Treaty satisfied all conditions of 37 C.F.R. 1.808 except the requirement that all restrictions on access be removed on grant of the patent. Applicant's representative has provided such assurance in the amendment of 30 October 2003. It was also agreed that claims 30 and 40 would be amended by Examiner's amendment to require that the host cells be isolated, to ensure that the subject matter of the claims did not encompass non-statutory embodiments..